

**GOVERNMENT OF TELANGANA**  
**ABSTRACT**

Labour Employment Training & Factories Department – Insurance Medical Services – Dr. J. Yamuna Devi, Civil Assistant Surgeon and Dr. B. Utham Kumar, Civil Assistant Surgeon, ESI Diagnostic Centre, Jeedimetla – Request for sanction of Pay & Allowances for the period of their prosecution Post Graduation Course in M.S. (General Surgery) and MD (DVL), at Kakatiya Medical College, Warangal and Gandhi Medical College respectively – Implementation of Orders Dt.31.01.2023 of the Hon'ble High Court in W.P.Nos.24053 and 24067 of 2018 – Sanction of Pay and Allowances – Orders – Issued.

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**LABOUR EMPLOYMENT TRAINING & FACTORIES (OP&IMS) DEPARTMENT**

G.O.Rt.No.136

Dated:07.02.2024.

Read the following:

1. From the Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.4145/E1A/2014, Dt.17.10.2014.
2. From the Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.10546/E1A/2015, Dt.31.07.2015.
3. Government Memo No.2772/OP&IMS/A2/2015, Dt.31.08.2015.
4. From the Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.9024/E1A/2015, Dt.21.01.2016 & Dt.10.02.2016.
5. Government Memo No.2772/OP&IMS/A2/2015, Dt.05.06.2017.
6. From the Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.41280/E1/Legal/DIMS/Hyd, Dt.07.07.2017.
7. Govt. Memo No.2772/OP&IMS/A2/2015, Dt.19.08.2017.
8. From the Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.9024/E1A/2015, Dt.11.09.2017.
9. Government letter No. 2772/OP&IMS/A2/2015, Dt.23.10.2017.
10. Writ Petition Nos.24053 of 2018 filed by Dr. J. Yamuna Devi, Civil Assistant Surgeon, ESI Diagnostic Centre, Jeedimetla, Hyderabad and 24067 of 2018 filed by Dr. B. Utham Kumar, Civil Assistant Surgeon, ESI Hospital, Ramachandrapuram.
11. Government Memo No.2772/OP&IMS/A2/2015, Dt.04.09.2018.
12. From the Government Pleader for Services-I (TG), letter No.W.P.No.24053/ 2019 /Services-I/HC, Dt.6.12.2019 and No.W.P.No.24067/2019/Services-I/HC, Dt.6.12.2019.
13. Government Memo No.2772/OP&IMS/A2/2015, Dt.17.12.2019.
14. From the Hon'ble High Court orders in WP Nos.24053 and 24067 of 2018, Dt.31.01.2023.
15. Government Memo No. 2772/OP&IMS/A2/2015, Dt.13.06.2023.
16. From Director, Insurance Medical Services, Telangana, Hyderabad letter Rc. No.144/E1A/2023, Dt.02.09.2023.

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**ORDER:**

The Director of Insurance Medical Services, Hyderabad in the letter 1<sup>st</sup> read above has submitted proposal for sanction of Pay and allowances to Dr. J. Yamuna Devi, ESI Dispensary, Karwan for prosecuting PG Degree Course in MS General Surgery, in Kakatiya Medical College, Warangal for three (3) years from 13.8.2014 to 12.8.2017 (or) till the end of the course whichever is earlier.

2. The Director of Insurance Medical Services, Hyderabad in the letter 2<sup>nd</sup> read above has submitted proposal for sanction of P.G. Lien and Sanction of Pay and allowances for three (3) years with effect from 01.07.2015 to 30.06.2018 (or) till the end of the course whichever is earlier to Dr. B. Utham Kumar, Civil Assistant Surgeon, ESI Hospital, Ramachandrapuram for prosecute his P.G. Degree in M.D. (DVL), at Gandhi Medical College, Secunderabad under in-service quota.

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3. In response to Government Memo in 3<sup>rd</sup> read above, the Director, Insurance Medical Services, Hyderabad have informed that, the individuals are not eligible for PG Course under service quota as per the Government Memo No.5527/C1/2015, Health Medical & Family Welfare (C1) Department, Dt.14.09.2015 and requested to permit the certain Medical Officers to prosecute PG course under in service quota basing on the letter addressed to NTR University of Medical Health & Family Welfare (C1) Department, dt.14.9.2015 and also requested to Government to issue appropriate orders in the matter in reference 4<sup>th</sup> read above.

4. In the reference 5<sup>th</sup> read above, Government have requested to the Director, Insurance Medical Services, Hyderabad to take necessary action as per the G.O.Ms.No.27, Medical Health & Family Welfare (C1) Department, dt.10.04.2017.

5. In the reference 6<sup>th</sup> read above, the Director, Insurance Medical Services, Hyderabad have stated that, Dr. Yamuna Devi, Civil Assistant Surgeon and Dr.Utham Kumar, Civil Assistant Surgeon, have filed W.P. No.41280 of 2016 to sanction of three (3) years deputation to prosecute Post Graduation Degree with pay and allowances and requested to issue necessary directions on the orders of Hon'ble High Court.

6. In the Memo 7<sup>th</sup> read above, Government have requested to the Director, Insurance Medical Services, Hyderabad to furnish the certain information to Government for taking further necessary action in the matter. Accordingly, the Director, Insurance Medical Services, Hyderabad have furnished the information to Government with a request to issue necessary orders in the reference 8<sup>th</sup> read above.

7. In the Memo 9<sup>th</sup> read above, Government have rejected the representations of Dr. Utham Kumar, Civil Assistant Surgeon and Dr. J. Yamuna Devi, Civil Assistant Surgeon, for sanction of pay and allowances for prosecuting different PG Degree courses as per the existing rules in force and also informed to the medical officers are eligible for Extra Ordinary Leave for study and deputation to prosecute PG Degree Course during period of three (3) years i.e. from 1.7.2015 to 30.6.2018 and 13.8.2014 to 12.8.2017 respectively.

8. Aggrieved by the same, Dr. Utham Kumar, Civil Assistant Surgeon, and Dr. J. Yamuna Devi, Civil Assistant Surgeon, have filed WP Nos. 24067 of 2018 and 24053 of 2018 respectively in the Hon'ble High Court and in the reference 10<sup>th</sup> read above, the Hon'ble High Court has directed " Notice before admission. List after 4 weeks. Meanwhile Counter affidavit to be filed".

9. In the Memo 11<sup>th</sup> read above, Government have issued instructions to the Director, Insurance Medical Services, Hyderabad to file Counter Affidavit in WP Nos. 24053 of 2018 and 24067 of 2018 on behalf of Government to avoid further legal complications, if any in the matter.

10. In the letter 12<sup>th</sup> read above the Government Pleader for Services-I in his letter 6.12.2019 has requested to file Counter Affidavit in WP Nos. 24053 of 2018 and 24067 of 2018. Government have directed the Director, Insurance Medical Services, Hyderabad to file Counter Affidavit in WP Nos. 24053 of 2018 and 24067 of 2018 expeditiously to avoid further legal complications, in the matter, in the Memo 13<sup>th</sup> read above.

**11.** In the reference 14<sup>th</sup> read above, the Hon'ble High Court in its order Dt.31.01.2023 in Writ Petition Nos. 24053 of 2018 and 24067 of 2018 have made the following judgment :-

“the impugned order passed by the respondents is liable to be set aside and accordingly set aside, directing the respondents to pay the pay and allowances including all benefits to the petitioners from 13.08.2014 to 12.8.2017 and 01.07.2015 to 30.06.2018 respectively within eight (8) weeks from the date of receipt of copy of orders of Hon'ble High Court. Accordingly, with direction, these two writ petitioners are allowed. There shall be no order as to cost. Miscellaneous petitions pending if any, shall stand closed”.

**12.** In the Memo 15<sup>th</sup> read above, Government have issued instructions to the Director, Insurance Medical Services, Hyderabad to take necessary action, and furnish action taken report in the matter to Government for information and record.

**13.** Government after careful examination of the matter hereby decided to implement the orders of the Hon'ble High Court in W.P. Nos. 24053 of 2018 and 24067 of 2018, Dt.31.01.2023.

**14.** Accordingly, Government hereby sanction the Pay & Allowances to petitioners Dr. J. Yamuna Devi, Civil Assistant Surgeon, ESI Diagnostic Centre, Jeedimetla, Hyderabad and Dr. B. Uttam Kumar, Civil Assistant Surgeon, ESI Hospital, Ramachandrapuram for the period from 13.08.2014 to 12.8.2017 and 01.07.2015 to 30.06.2018, respectively.

**15.** The Director of Insurance Medical Services, Telangana, Hyderabad shall take necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)**

**I.RANI KUMUDINI  
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To  
The Director of Insurance Medical Services, Telangana, Hyderabad.  
Copy to:  
The individuals through the Director of Insurance Medical Services, Telangana, Hyderabad.  
The Pay & Accounts Officer, Telangana, Hyderabad.  
The Director of Treasuries & Accounts, Telangana, Hyderabad.  
The District Treasury Officer, Telangana, Hyderabad.  
The Government Pleader for Services.I (TS) , High Court,  
Telangana Hyderabad.  
SF/SC.

**//FORWARDED :: BY ORDER//**

**SECTION OFFICER**